

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

United States of America,)
vs.) CR No. 0:08-00611-MBS
Laurkeda Montrell Montgomery,)
Defendant.)
)

This matter is before the court on Defendant's motion to correct sentence under 28 U.S.C. § 2255. A memorandum in support of Defendant's motion was filed on April 7, 2016, arguing that in light of the Supreme Court's holding in *Johnson v. United States*, 135 S. Ct. 2551 (2015), Defendant's sentence should be vacated. On June 7, 2016, the Government filed a response agreeing that Defendant's motion should be granted and he should be resentenced.

The court grants the motion for relief under 28 U.S.C. § 2255. The Judgment Order in 0:08-CR-00611-MBS, filed December 19, 2008, is hereby vacated, and this matter is set for resentencing on June 27, 2016. A separate notice specifying the time of the hearing will be forthcoming.

IT IS SO ORDERED.

s/ Margaret B. Seymour
MARGARET B. SEYMOUR
Senior United States District Judge

Columbia, South Carolina
June 8, 2016